

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ADRIAN CONTRERAS-REBOLLAR,

Petitioner,

V.

JAMES KEY,

Respondent.

CASE NO. C15-5471 BHS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”)

of the Honorable J. Richard Creature, United States Magistrate Judge. Dkt. 38. The Court

having considered the R&R and the remaining record, and no objections having been

filed, does hereby find and order as follows:

(1) The R&R is **ADOPTED**;

(2) Petitioner's grounds 1 and 2 claims are denied as petitioner has failed to demonstrate that the state court's adjudication of his claims was contrary to, or an unreasonable application of federal law:

(3) Petitioner's grounds 3 and 4 are unexhausted and are dismissed without prejudice; and

1 (4) The Court denies the issuance of a certificate of appealability.

2 Dated this 5th day of October, 2016.

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10 BENJAMIN H. SETTLE
11 United States District Judge